

TEMPORARY

No. 70914-T

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office MAR 02 2004

Returned to applicant for correction _____

Corrected application filed _____

Map filed paper in file

The applicant **F.M. Fulstone Inc**, hereby make application for permission to change the **place of use of a portion** of water heretofore appropriated under **Permit 19734, Cert Record #6434**

1. The source of water is **underground**
2. The amount of water to be changed **5.4 CFS see permit terms 66230T**
3. The water to be used for **Irrigation**
4. The water heretofore permitted for **Irrigation**
5. The water is to be diverted at the following point **SW¼ NE¼ Sect 2, T10N, R23E MDB&M at a point from which the N¼ corner of said Sect 2 bears N 6°34' W, a distance of 2013.2 feet**
6. The existing permitted point of diversion is located within
7. Proposed place of use **See Schedule B 2 maps copies enclosed – sheets 1 & 2 – 68620T**
8. Existing place of use **See Schedule A use map 68620T. Copy attached sheets 1 & 2.**
9. Use will be from **Jan 1 to Dec 31** of each year.
10. Use was permitted from **Jan 1 to Dec 31** of each year.
11. Description of proposed works **to be diverted into existing ditches**
12. Estimated cost of works **\$100**
13. Estimated time required to construct works **3 days**
14. Estimated time required to complete the application of water to beneficial use **3 days**
15. Remarks: **5.4 CFS diversion rate approved under 66230T, see R. Thayer meter installed on the pump. Parshall flume measures discharge into river. See water diversion map for discharge to river and to River Simpson Canal in file 68620T. This delivery system has been approved by Jim Shaw, Water Master, and Ken Spooner, WRID.**

F.M. Fulstone Inc
By **s/Richard M. Fulstone, Pres.**
PO Box 34
Smith, NV 89430

Compared cmf/sam ag/cmf

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This temporary permit to change a portion of the place of use of the waters of an underground source as heretofore granted under Permit 19734, Certificate 6434 is issued with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter will be installed on the well discharge. Measurements must be kept of the water used on the place of use of Permit 19734, Certificate 6434 and on the place of use of Temporary Permit 70914-T. The totalizing meter must be installed before any use of the water begins. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This temporary permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined duty of water under Permit 19734, Certificate 6434 and Temporary Permit 70914-T shall not exceed 2,413.76 acre-feet annually.

The issuance of this temporary permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

Approval of Temporary Permit 70914-T is subject to any necessary approvals from the Walker River Irrigation District and appropriate ditch companies.

Any water diverted from the well in exchange for water diverted from the West Walker River shall be assessed a 10 percent reduction to account for conveyance loss. Coordination must be made with Walker River Irrigation District as to when the well is pumped and as to the amount.

The total combined diversion rate under Permit 19734, Certificate 6434 and Temporary Permit 70914-T shall not exceed 5.4 second feet.

With the issuance of this temporary permit the following lands under Permit 19734, Certificate 6434 and Permit 12372, Certificate 3667 shall not be irrigated from those permits: 40.0 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$; 14.0 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$; 14.0 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$; 28.3 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$; 28.0 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$; 2.3 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$; 12.2 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$; 20.6 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$; 28.6 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$; and 28.6 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ all in Section 35, T.11N., R.23E., M.D.B.&M.

Records of the amount of water pumped from this well shall be made at such time the well is pumping and to which location within the proposed place of use this water is being delivered and the amount delivered. This report shall be submitted on a monthly basis no later than 10 days after the end of each month.

(CONTINUED ON PAGE 3)

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on **October 31, 2004** at which time all rights herein granted shall revert to the right being changed by this temporary permit.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed **5.4** cubic feet per second,

Work must be prosecuted with reasonable diligence and be completed on or before:

Proof of completion of work shall be filed on or before:

Water must be placed to beneficial use on or before:

Proof of the application of water to beneficial use shall be filed on or before:

Map in support of proof of beneficial use shall be filed on or before:

TEMPORARY

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this **30th** day of **March**, A.D. **2004**

Hugh Ricci, P.E.

State Engineer

EXPIRED

DATE **OCT 31 2004** DR

7. PROPOSED PLACE OF USE - SCHEDULE B

PUMP INTO REVER SIMPSON DITCH

ACRES	QTR OF QTR	SEC	T-N	R-E	MDR&M
35.0	NW NE	36	11	23	
4.0	SW NE	36	11	23	
13.0	NE NE	36	11	23	
4.0	NE SE	25	11	23	
21.0	SW SE	25	11	23	
3.0	NE SE	25	11	23	
35.0	SE SE	25	11	23	
<u>7.0</u>	SW SW	30	11	24	

122.0 SUBTOTAL

PUMP INTO REVER

34.5	NE SE	12	10	23	
5.0	NW SE	12	10	23	
<u>11.5</u>	SE NE	12	10	23	

51.0 SUBTOTAL

4.0	SW NW	6	10	24	
<u>39.6</u>	SE NW	6	10	24	

43.6 SUBTOTAL

216.6 TOTAL ACRES

8. EXISTING PLACE OF USE - SCHEDULE A
USE MAP UNDER 54717T - COPY ATTACHED

✓	ACRES	✓	QTR of	QTR	SEC	T-N	R-E	MDB&M
✓	28.6	✓	NE	NE	35	11	23	
✓	28.6	✓	SE	NE	35	11	23	
✓	20.6	✓	NE	SE	35	11	23	
✓	12.2	✓	NW	SE	35	11	23	
✓	40.0	✓	NW	NW	35	11	23	
✓	14.0	✓	NE	NW	35	11	23	
✓	14.0	✓	SW	NW	35	11	23	
✓	28.0	✓	SW	SW	35	11	23	
✓	2.3	✓	SE	SW	35	11	23	
✓	<u>28.3</u>	✓	NW	SW	35	11	23	

216.6 TOTAL ACRES

866.4 AF